IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

TUESDAY, THE 11TH DECEMBER 2007 / 20TH AGRAHAYANA 1929

LA.App..No. 740 of 2006(D)

LAR.154/2003 of ADL.SUB COURT, THALASSERY
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APPELLANT:
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1. THE STATE OF KERALA,
REPRESENTED BY TAHSILDAR, LA (NH), THALASSERY.

2. THE EXECUTIVE ENGINEER,
N.H.DIVISION, KANNUR.

BY GOVERNMENT PLEADER SRI.K.V.MANOJKUMAR.

RESPONDENTS: CLAIMANTS:

THIRUMANGALATH NELLIYODEN SREELATHA,
"PRABHATHAM", CHETTAMCOON, THALASSERY.

BY ADV. SRI.SERGI JOSEPH THOMAS

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 11/12/2007, ALONG WITH LAA 1075/07, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON I.A.NO. 4275/06 IN L.A.A. NO. 740/2006

DISMISSED

11.12.2007. SD/- KURIAN JOSEPH, JUDGE.

SD/- HARUN-UL-RASHID, JUDGE.

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A.No.740 of 2006 &
L.A.A.No.1075 of 2007

Dated this the 11th day of December, 2007

JUDGMENT

Kurian Joseph,J.

These are appeals filed by the State aggrieved by the fixation of land value. The acquisition is for the purpose of Thalassery-Mahe Bye-pass. The reference court relied on the judgment and decree in L.A.R.No.136/2002, against which the State filed an appeal as L.A.A.No.298/2005. This court, after a detailed analysis of the fact situation, came to the conclusion that the fixation of land value at the rate of Rs.17,500/- will be a just and proper fixation. In view of the fixation of land value as above these appeals are dismissed, however, clarifying that in case the claimants have not been granted the statutory benefits including interest on solatium they shall be entitled to the same.

(KURIAN JOSEPH, JUDGE)

(HARUN-UL-RASHID, JUDGE)

ahg.

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

L.A.A.No.740 of 2006 &
L.A.A.No.1075 of 2007

JUDGMENT

11th December, 2007